IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.70550 -M of 2006

DATE OF DECISION: FEBRUARY 20, 2007

Nirmal Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Ms. Hanny Gandhi, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Nirmal Singh apprehending his arrest in a non-bailable offence in case FIR No. 118 dated 13.10.2006 registered under Sections 307/324/323/427/506/34 IPC at Police Station Kotwali, Kapurthala, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the petitioner was attributed hurling of brick bats which hit Gurbax Singh injured on his head. However, the said injury was finally declared to be simple in nature. Moreover, this is a case of version and cross version. On the side of the petitioner, his mother Harbans Kaur received four injuries on her person including a grievous injury. Counsel for the petitioner further contends that in terms of the interim order dated November 13, 2006, the petitioner has joined the investigation. This fact has not been disputed by the State counsel and he further on instructions from ASI Ajit Singh states that after the investigation the police has prepared the cancellation report.

In view of the above, the interim order dated November 13, 2006 is made absolute on the same terms and conditions.

Disposed of accordingly.

February 20, 2007
vkg

(SATISH KUMAR MITTAL)
JUDGE